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**UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF WYOMING**

STEPHANIE WADSWORTH, Individually
and as Parent and Legal Guardian of W.W.,
K.W., G.W., and L.W., minor children, and
MATTHEW WADSWORTH,

Plaintiffs,

v.

WALMART, INC. and JETSON
ELECTRIC BIKES, LLC,

Defendants.

Case No.: 2:23-cv-00118-NDF

JURY TRIAL DEMANDED

**PLAINTIFFS' MOTION TO EXTEND THE DEADLINE FOR
DISPOSITIVE MOTIONS OR ALTERNATIVELY, MOTION TO CONTINUE TRIAL**

Plaintiffs, Stephanie Wadsworth, Individually and as Parent and Legal Guardian of W.W., K.W., G.W., and L.W., minor children, and Matthew Wadsworth, by and through the undersigned

counsel, hereby file this Motion to Extend the Deadline for Dispositive Motions or Alternatively, Motion to Continue Trial, as follows:

1. Pursuant to the Order on Initial Pretrial Conference served on November 1st, 2023, the parties have until November 7, 2024 to file dispositive motions in this matter, including Daubert Motions.

2. Given the current posture of the case, the parties are still engaging in depositions of Plaintiffs' health care providers, which are not anticipated to be completed before November 7, 2024.

3. Furthermore, although Defendants have taken the depositions of Plaintiffs' expert witnesses, Plaintiff has not yet had the opportunity to take the depositions of any of Defendants' disclosed expert witnesses.

4. Counsel for the parties have been diligently working together to confirm dates for said expert depositions to take place, however, due to the availability of counsels, experts, and another trial beginning November 18, 2024¹, wherein Plaintiff's counsel is lead counsel, all of the Defendants' expert witness depositions will not be concluded before January 2025.

5. Due to this delay, Plaintiffs respectfully request an extension of the deadline to file dispositive motions, including any Daubert motions, through February 1, 2025.

6. Alternatively, given the status of case, Plaintiffs would request a continuance of this trial to best allow the parties to complete all remaining depositions and have adequate time to brief the relevant issues that are anticipated to be the subject of multiple dispositive motions.

7. The trial was recently continued to March 2025 due to some confusion created by a docket entry which resulted in Defendants not calendaring the previously set January 2025 trial.

¹ Reference to docket document #83 filed on October 2, 2024, *Plaintiff's Notice of Conflict*.

8. There is an outstanding matter relating to Plaintiffs' request to allow designation of additional experts due to the continued healthcare provider depositions and their inability to provide testimony regarding Plaintiffs' future medical care needs.

9. A continuance of the trial, though not the preferred method of proceeding, would undoubtedly allow sufficient time for all remaining matters to be accomplished without prejudicing either party.

10. Without the relief sought herein, Plaintiffs will be precluded from exercising their right to challenge the opinions, qualifications, and admissibility of Defendants' experts conclusions, and from filing the necessary dispositive motions at the conclusion of all discovery.

11. Counsel for Plaintiffs has communicated with counsel for the Defendants regarding the requested relief, and he has expressed an objection.

12. This request is made in good faith and with no intent to delay the process.

WHEREFORE, Plaintiffs respectfully request entry of an Order granting this Motion to Extend the Deadline for Dispositive Motions or Alternatively, Motion to Continue Trial, as stated herein, and all other relief deemed just and appropriate.

Date: October 16, 2024

Respectfully Submitted,

/s/ Rudwin Ayala

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 16, 2024, a true and correct copy of the foregoing was electronically served to all counsel of record.

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